

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES MANHXAYTHAVONG,

Plaintiff,

v.

SWICKARD AUTO GROUP dba
MERCEDES BENZ OF WILSONVILLE,
OR, *et al.*,

Defendants.

CASE NO. C23-1574-JCC

ORDER

This matter comes before the Court *sua sponte*. Plaintiff filed a complaint on October 13, 2023 (Dkt. No. 1). Yet Plaintiff has not sought summons. For this reason, on June 27, 2024, the Court issued an order to show cause (“OSC”) why the case should not be dismissed for failure to prosecute (Dkt. No. 3). While Plaintiff responded to this order (Dkt. No. 4), it was not responsive to the issue discussed in the OSC. (*See id.* at 3); *see also* LCR 4, Fed. R. Civ. P. 4(l)–(m) (describing a plaintiff’s obligation(s) in seeking and serving summons and establishing that adequate service has been performed). Accordingly, pursuant to Federal Rule of Civil Procedure 41(b), the complaint is DISMISSED without prejudice.

//

//

//

1 DATED this 22nd day of August 2024.

2
3
4 

5 John C. Coughenour
6 UNITED STATES DISTRICT JUDGE
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26